

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

UNITED STATES OF AMERICA,)
 Plaintiff,) Case No. 2:15-cr-00472-RMG
)
)
v.)
)
DYLANN STORM ROOF,)
 Defendant.)
)

STIPULATION

Pursuant to Rule 10(e)(2)(A) of the Federal Rules of Appellate Procedure, Plaintiff United States of America and Defendant Dylann Storm Roof, by and through undersigned counsel, hereby stipulate that the record on appeal should be supplemented with the following records:

1. Exhibit A attached hereto is a true and accurate copy of Defendant's Motion for Judgment of Acquittal pursuant to Rule 29 of the Federal Rules of Criminal Procedure, which was served and filed by Defendant's trial counsel in court on December 14, 2016. *See* Dkt. No. 899 (Transcript, pp. 1132-35); Dkt. No. 802 (text order denying motion).

2. Exhibit B attached hereto is a true and accurate copy of the Court's Draft Final Charge for the Guilt Phase, which Chambers distributed to trial counsel on or around December 14, 2016. *See* Dkt. No. 899 (Transcript, pp. 1149-69).

3. Exhibit C attached hereto is a true and accurate copy of the Court's Proposed Opening Charge for the Penalty Phase, which Chambers distributed to trial

counsel on or around December 29, 2016. *See* Dkt. No. 834 (Government's Objections to Proposed Opening Charge to Penalty Phase).

4. Exhibit D attached hereto (filed under seal) is a true and accurate copy of the Court's Draft Penalty Closing Charge that Chambers distributed to trial counsel on or around January 7, 2017. *See* Dkt. No. 863 (Defendant's Objections and Requested Changes to Court's Draft Penalty Phase Closing Instructions).

5. Exhibit E attached hereto (filed under seal) is a true and accurate copy of the Court's Draft Penalty Special Verdict Form, which Chambers distributed to trial counsel on or around January 7, 2017. *See* Dkt. No. 863 (Defendant's Objections and Requested Changes to Court's Draft Penalty Phase Closing Instructions).

6. Exhibit F attached hereto is a true and accurate copy of Defendant's Motion In Limine to Prohibit Specific Types of Prosecutorial Misconduct in Penalty-Phase Summation, which Defendant filed in court on January 9, 2017, as Exhibit 1 to Defendant's Motion Regarding Closing Argument. *See* Dkt. No. 865; Dkt. No. 947 (Transcript, pp. 753-55).

7. Exhibit G attached hereto is a true and accurate copy of Standby Counsel's Motion Requesting Court Call Mitigation Witnesses at Penalty Phase, which was proffered by Defendant's standby counsel and denied by the Court on January 9, 2017. *See* Dkt. No. 947 (Transcript, pp. 770-72).

8. None of the aforementioned documents appear on PACER, although it is clear from the transcripts and other docket entries that the documents were either distributed by the Court to the parties or submitted by the parties to the Court.

So stipulated this 4th day of September, 2020.

/s/ Nathan Williams
Nathan Williams
Attorney for United States

/s/ James Wyda
James Wyda
Attorney for Dylann Storm Roof